THE CITY OF SAN DIEGO, CALIFORNIA MINUTES FOR REGULAR COUNCIL MEETING OF JULY 17, 1990 AT 9:00 A.M. IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:55 a.m. The meeting was recessed by Mayor O'Connor at 12:00 noon to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:05 p.m. A quorum was not present. A quorum was present at 2:12 p.m. with Council Members Roberts, Hartley, Pratt, and Filner not present. The meeting was adjourned by Mayor O'Connor at 8:09 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Clerk-Abdelnour (mp,eb)

FILE LOCATION: MINUTES

Jul-17-1990

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-34: GRANTED REQUEST FOR HEARING

Matter of the requests of The City of San Diego Engineering Department and The City of San Diego Water Utilities Department, for a hearing of an appeal from the decision of the Planning Commission in denying Sensitive Coastal Resource Permits SCR-90-0151 (Sorrento Valley Utility Improvement Phase I) and SCR-89-1421 (Sorrento Valley Road Realignment and Widening Phase II) for Capital Improvement Projects located along the eastern edge of Los Penasquitos Lagoon within the Torrey Pines Community Planning area and the North City Local Coastal Program. SCR Permit SCR-90-0151 includes 1) relocation and construction of Pump Station No. 65 and construction of a new force main; 2) abandonment of the existing gravity sewer lines and construction of new sewer lines; and 3) abandonment of an existing waterline and construction of a new waterline. SCR Permit SCR-89-1421 includes 1) the realignment and widening of Sorrento Valley Road. The projects are located west of I-5 and north of the junction of I-5 and I-805. A small portion of the utility improvement (SCR-90-0151) underlies Carmel Valley Road, the remainder of the utility improvements are within a corridor coincident with or parallel to the proposed Sorrento Valley Road from Carmel Valley Road to the existing Pump Station No. 64. The realignment of Sorrento Valley Road (SCR-89-1421) begins at the intersection of Carmel Valley Road and terminates at Carmel Mountain Road. The Engineering and Development Department is appealing SCR Permit 89-1421 and the Water Utilities Department is appealing SCR Permit-90-0151. (District-1.)

A motion granting or denying the request for a hearing of

the appeal.

FILE LOCATION: PERM-SCR-90-0151; SCR-89-1421.

COUNCIL ACTION: (Tape location: A031-119.)

MOTION BY WOLFSHEIMER TO GRANT REQUEST FOR HEARING. Second by

Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-111:

Six actions relative to the Marina "G" Blocks Underground Utility District:

(Centre City Community Area. District-8.)

Subitem-A: (R-90-2242) ADOPTED AS RESOLUTION R-276153

Designating August 1, 1990 as the date upon which all property in the Marina "G" Blocks Underground Utility District Phase 1-A must be ready to receive underground service and September 30, 1990 as the date for the removal of all overhead utility facilities.

Subitem-B: (R-90-2279) ADOPTED AS RESOLUTION R-276154

Designating August 1, 1990 as the date upon which all property in the Marina "G" Blocks Underground Utility District Phase 1-B, must be ready to receive underground service and September 30, 1990 as the date for the removal of all overhead utility facilities.

Subitem-C: (R-90-2286) ADOPTED AS RESOLUTION R-276155

Designating September 30, 1990 as the date upon which all property in the Marina "G" Blocks Underground Utility District Phase 2-A must be ready to receive underground service and October 31, 1990 as the date for the removal of all overhead utility facilities.

Subitem-D: (R-90-2287) ADOPTED AS RESOLUTION R-276156

Designating August 1, 1990 as the date upon which all property in the Marina "G" Blocks Underground Utility District Phase 2-B must be ready to receive underground

service and October 31, 1990 as the date for the removal of all overhead utility facilities.

Subitem-E: (R-90-2288) ADOPTED AS RESOLUTION R-276157

Designating October 1, 1990 as the date upon which all property in the Marina "G" Blocks Underground Utility District Phase 3 must be ready to receive underground service and December 31, 1990 as the date for the removal of all overhead utility facilities.

Subitem-F: (R-90-2289) ADOPTED AS RESOLUTION R-276158

Authorizing the City Auditor and Comptroller to open Fund No. 78049 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Marina "G" Blocks Underground Utility District; authorizing the City Treasurer to receive these funds from the San Diego Gas and Electric Company; authorizing payment to all property owners in the Marina "G" Blocks Underground Utility District as reimbursement for electrical service underground conversion work done on private property whenever the required length of trenching exceeds 15 feet; authorizing the City Auditor and Comptroller to return to San Diego Gas & Electric Company any undisbursed funds upon written notice from SDG&E that all electric service conversions within a particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION: The Marina "G" Blocks Underground Utility District was created by the City Council on May 20, 1986. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set the following Customer Ready Dates, which will require that, upon those dates, all affected customers within the district must have their services prepared to receive service from the new underground system, and will also establish the following Pole Removal Dates, which will require that, upon those dates, all overhead facilities within the district must be removed. The utility companies concur with these dates:

Phase	Customer Ready Dat	e Pole Removal Date
1-A	August 1, 1990	September 30, 1990
1-B	August 1, 1990	September 30, 1990
2-A	September 30, 1990	October 31, 1990

2-B October 31, 1990 August 1, 1990 October 1, 1990 3 December 31, 1990

Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.

FILE LOCATION: Subitems A, B, C, D, E, F STRT K-162

COUNCIL ACTION: (Tape location: J249-452.)

MOTION BY McCARTY TO ADOPT. Second by Filner. Passed by the

following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-116: (R-91-11) ADOPTED AS RESOLUTION R-276159

Authorizing and approving the request of Triple Crown Youth Coalition for a waiver of fees in the amount of \$530 in connection with the use of the Municipal Gym by Triple Crown Youth Coalition "Shoot-out Against Drugs" basketball tournament on April 28, 1990. (See Committee Consultant Analysis PFR-90-11.)

COMMITTEE ACTION: Reviewed by PFR on 6/13/90. Recommendation to waive the fees in the amount of \$530. Districts 1, 6 and 8 voted yea. District 7 voted nay. District 3 not present.

FILE LOCATION: **MEET**

COUNCIL ACTION: (Tape location: C144-192.)

MOTION BY PRATT TO ADOPT ITEMS 116, 117, AND 118. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea,

Roberts-yea, Hartley-not present, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-nay, Filner-not present, Mayor

O'Connor-yea.

ITEM-117: (R-91-12) ADOPTED AS RESOLUTION R-276160

Authorizing and approving the request of Skills Centers of

America for a waiver of fees in the amount of \$1,582, being 50 percent of the fees charged, for the use of the Torrey Pines Golf Course by Skills Centers of America for its Celebrity Golf Tournament on May 18-19, 1990. (See Committee Consultant Analysis PFR-90-9.)

COMMITTEE ACTION: Reviewed by PFR on 6/13/90. Recommendation to waive fees in the amount of \$1,582. Districts 1, 6 and 8 voted yea. District 7 voted nay. District 3 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C144-192.)

MOTION BY PRATT TO ADOPT ITEMS 116, 117, AND 118. Second by

Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-nay, Filner-not present, Mayor O'Connor-yea.

ITEM-118: (R-91-13) ADOPTED AS RESOLUTION R-276161

Authorizing and approving the request of Sickle Cell Celebrity Golf Classic for a waiver of fees in the amount of \$5,235, in connection with the use of Torrey Pines Golf Course on June 4, 1990, for the Sickle Cell Celebrity Golf Classic.

(See Committee Consultant Analysis PFR-90-10.)

COMMITTEE ACTION: Reviewed by PFR on 6/13/90. Recommendation to waive fees in the amount of \$5,235. Districts 1, 6 and 8 voted yea. District 7 voted nay. District 3 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C144-192.)

MOTION BY PRATT TO ADOPT ITEMS 116, 117, AND 118. Second by

Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-nay, Filner-not present, Mayor O'Connor-yea.

ITEM-200:

Four actions relative to taxation:

Subitem-A: (O-91-4) (Continued to July 23, 1990, on Monday, July 16, 1990)

Introduction of an Ordinance to amend Chapter III, Article 5, of the San Diego Municipal Code, relating to Transient Occupancy Taxes, to include Recreational Vehicle/Camping sites as a category of facility upon which TOT is imposed.

CITY MANAGER SUPPORTING INFORMATION: On June 28, 1990, the City Council directed staff to draft an amendment to the Transient Occupancy Tax Ordinance to impose the tax upon transient Recreational Vehicle/Camping space site rentals. The

tax rate to be imposed on transient RV/Camping space site rentals shall be the same rate imposed upon hotel structures; and, rentals of \$20 or less per day shall be exempt. All revenues collected by the City as a result of this amendment of the Transient Occupancy Tax Ordinance shall be deposited to the General Fund of the City (Fund No. 100) and be used for general governmental purposes as the City Council may from time to time provide in accordance with the City Charter of the City of San Diego and its appropriation ordinances.

Subitem-B: (O-91-3) INTRODUCED, TO BE ADOPTED JULY 30, 1990

Introduction of an Ordinance to amend Chapter III, Article 1 of the San Diego Municipal Code, relating to Business Taxes, to increase the business tax to \$125 per business plus \$5.00 per employee; and to \$125 per business plus \$5.00 per space.

CITY MANAGER SUPPORTING INFORMATION: On June 28, 1990, the City Council directed staff to draft an amendment to the Business Tax Ordinance to increase the Business Tax to \$125 per business plus \$5 per employee (or \$5 per unit in the case of groups of sellers). Currently businesses pay a rate of \$30 plus \$4 per employee. All revenues collected by the City as a result of this amendment shall be deposited into the General Fund of the City (Fund No. 100) and used for general governmental purposes as the City Council may from time to time provide in accordance with the City Charter of the City of San Diego and its appropriation ordinances.

Subitem-C: (O-91-6) INTRODUCED, TO BE ADOPTED JULY 30, 1990.

Introduction of an Ordinance to amend Chapter III, Article
1, of the San Diego Municipal Code, relating to Rental Unit
Business Taxes, to establish a rental unit tax of \$40 per
property plus \$3.00 per unit on all residential property.

CITY MANAGER SUPPORTING INFORMATION: On June 28, 1990 the

City Council directed staff to draft an amendment to the Business Tax Ordinance to establish a rental unit tax rate of \$40 per property plus \$3.00 per unit on all residential property. Currently, residential property owners play a tax of \$30 plus \$2.00 per unit for 6 units or more. All revenues collected by the City as a result of this amendment shall be deposited into the General Fund of the City (Fund No. 100) and used for general governmental purposes as the City Council may from time to time provide in accordance with the City Charter of the City of San Diego and its appropriation ordinances.

Subitem-D: (O-91-7) (Continued to July 23, 1990, on Monday, July 16, 1990)

Introduction of an Ordinance adding Chapter III, Article 8, to establish a Transient Transportation Tax, of 3 percent upon the cost of passenger vehicle rentals of 30 days or less which originate within the City of San Diego.

CITY MANAGER SUPPORTING INFORMATION: On June 28, 1990, the City Council directed staff to draft an ordinance to establish a Transportation Tax of 3 percent upon the cost of passenger vehicle rentals of 30 days or less which originate within the City of San Diego. The tax rate on transient passenger vehicle rentals shall be imposed upon the total cost of vehicle rentals except for other local, state, or federal taxes. All revenues collected by the City as a result of establishing a Transient Transportation Tax shall be deposited into the General Fund of the City (Fund No. 100) and be used for general governmental purposes as the City Council may from time to time provide in accordance with the City Charter of the City of San Diego and its appropriation ordinances.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A248-B290.)

Motion by McCarty to leave original language for both taxes as discussed in the budget sessions. Second by Henderson. No vote taken.

MOTION BY PRATT TO INTRODUCE THE ORDINANCES. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-nay, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-yea, Filner-not present, Mayor-yea.

ITEM-201: (O-91-5) REFERRED TO CITY ATTORNEY

Introduction of an Ordinance amending Chapter II, Article

2, of the San Diego Municipal Code by amending Section 22.1901, to delete the Department of Intergovernmental Relations and creating in lieu thereof a new Department of Legislative Services; amending Section 22.0101, Rule 15, relating to Committee Staff; amending Section 22.1801 relating to City Departments; and repealing Sections 22.2301 and 22.2302 relating to the Department of Legislative Analyst.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: J452-678.)

MOTION BY PRATT TO DIRECT THE CITY ATTORNEY TO PREPARE THE FOLLOWING LANGUAGE CHANGES TO BRING BACK TO COUNCIL ON JULY 24, 1990: 1) IN ORDINANCE CAPTION AFTER "RULE 15 RELATING TO" DELETE "COMMITTEE STAFF" AND ADD "DEPARTMENT NAME AND POSITION TITLES." 2) IN SECTION 22.1901 A, CHANGE "APPOINTED" TO "SELECTED" BY THE MAYOR "AND COUNCIL.", DELETING "SUBJECT TO CONFIRMATION BY A MAJORITY OF THE COUNCIL." 3) ADD TO "THE DIRECTOR SHALL BE THE APPOINTING AUTHORITY OF ALL PERSONNEL AUTHORIZED IN THE DEPARTMENT" THE LANGUAGE "EXCEPT AS STATED IN RULE 15." 4) IN 22.1901 B, CHANGE LANGUAGE TO DELETE "COMMITTEE CONSULTANTS" TO "LEGISLATIVE SPECIALISTS," AND EVERYWHERE THE ORDINANCE STATES "COMMITTEE CONSULTANT" INTERPOSE

"LEGISLATIVE SPECIALIST." 5) UNDER RULE 15 RETAIN THE RULE 15 LANGUAGE THAT READS: "ALL LEGISLATIVE SPECIALISTS SHALL BE SUBJECT TO APPOINTMENT AND REMOVAL BY THE CHAIRPERSONS OF THEIR RESPECTIVE COMMITTEES." Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

Jul-17-1990

ITEM-310: WELCOMED BY MAYOR O'CONNOR

Welcoming approximately 25 visitors from the Chula Vista Junior-Senior School, who will attend this meeting accompanied by their teacher, Rich Ruppert. This group will arrive at approximately 10:30 a.m.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A236-245.)

ITEM-330: (R-90-1973) ADOPTED AS RESOLUTION R-276168

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Sabre Springs Landscape and Lighting Maintenance District.

(Sabre Springs Community Area. Districts-1 and 5.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessments for the Sabre Springs Landscape and Lighting Maintenance District. The district provides maintenance for landscaped medians and open spaces within the district boundaries. The Fiscal Year 1991 proposed maintenance costs for the district are as follows:

Contractual Maintenance \$22,000

Personnel 10,396 Utilities 3,300 Incidentals 13,994*

Total Expenses \$49,690

Reserve 8,031

Total \$57.721

Less Carry-over & Interest 10,000 Less City Contribution 4,915 Assessed to District \$42,806

The proposed unit assessment for Fiscal Year 1991 is approximately \$17 compared to \$19 for Fiscal Year 1990. The decrease in the assessment amount results from the increase in the number of assessable units in the assessment area.

FILE LOCATION: STRT M-215

COUNCIL ACTION: (Tape location: C124-126.)

Hearing began 2:19 p.m. and halted 2:20 p.m.

MOTION BY WOLFSHEIMER TO ADOPT ITEMS 330 AND 331. Second by

Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-not present, Pratt-not present,

Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present,

Mayor O'Connor-yea.

ITEM-331: (R-90-1970) ADOPTED AS RESOLUTION R-276169

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Eastgate Technology Park

^{*} Includes \$2,870 Assessment Management Fee.

Landscape Maintenance District.

(University Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes

the assessments for the Eastgate Technology Park Landscape

Maintenance District. The district maintains landscaped center

islands, streetscapes and open space areas within the district.

The Fiscal Year 1991 proposed maintenance costs for the district are as follows:

Contractual Maintenance \$ 77,500

 Personnel
 6,238

 Utilities
 20,350

 Incidentals
 12,321*

 Total Expenses
 \$116,409

 Reserve
 11,237

 Total
 \$127,646

Less Carry-over & Interest 6,000
Less City Contribution 3,438
Assessed to District \$118,208

Assessments for Fiscal Year 1991 correspond to approximately \$545 per acre for each lot compared to \$620 per acre for the 1990 Fiscal Year. The decrease in the assessment reflects the lower contractual maintenance cost in Fiscal Year 1991.

FILE LOCATION: STRT M-216

COUNCIL ACTION: (Tape location: C124-126.)

Hearing began 2:19 p.m. and halted 2:20 p.m.

MOTION BY WOLFSHEIMER TO ADOPT ITEMS 330 AND 331. Second by

Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-not present, Pratt-not present,

Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present,

Mayor O'Connor-yea.

ITEM-332:

A proposal to approve the following matters:

- 1. Amendments to Council Policy 600-29 "Maintenance of Future Urbanizing Area As An Urban Reserve" to restrict the permitted density and pattern of residential development and mixed uses; and to establish conditions for development within the Future Urbanizing area.
- 2. Amendments to the A-1 Zones (Agricultural) to restrict the permitted density and pattern of residential development within the Future Urbanizing area; to establish A-1-20 and A-1-40 Zones; and to delete

^{*}Includes \$6,739 Assessment Management Fee.

churches as a permitted use city-wide.

- 3. Amendments to the Planned Residential Development Ordinance to restrict accessory uses city-wide; to restrict the pattern of residential development permitted within the Future Urbanizing area; and to add development standards for the A-1-20 and A-1-40 Zones.
- 4. Amendments to the Conditional Use Permit Ordinance to restrict the types of land uses which may be permitted within the Future Urbanizing area; and to restrict certain other conditional uses and incidental facilities city-wide.
- 5. Amendments to the FW (Floodway) Zone to restrict the types of conditional uses which may be permitted within the Future Urbanizing area; and to restrict certain other conditional uses and incidental facilities city-wide.

The proposed Future Urbanizing Area Policies and Regulations and City-wide Development Regulations also constitute an amendment to the City of San Diego's Local Coastal Program. If approved by the City Council, the proposed Local Coastal Program amendment must be submitted to the California Coastal Commission for review and final approval. The proposed Local Coastal Program amendment would not become effective until after approval by the California Coastal Commission.

Subitem-A: (R-90-2305) ADOPTED AS RESOLUTION R-276170

Adoption of a Resolution amending Council Policy 600-29 to restrict the permitted density and pattern of residential development and establish other conditions for development within the Future Urbanizing area.

Subitem-B: (R-90-2306) FILED

(City-wide)

Adoption of a Resolution amending Council Policy 600-29 to restrict the permitted density of residential development and establish procedures for the calculation of density in mixed use developments within the Future Urbanizing area. NOTE: Subitem-B is an alternative resolution for Subitem

A Only one resolution should be adopted

A. Only one resolution should be adopted.

Subitem-C: (O-90-215) INTRODUCED, TO BE ADOPTED JULY 30,

1990

Introduction of an Ordinance amending the A-1 (Agricultural) Zones to restrict the permitted density of residential development and eliminate off-street parking requirements within the Future Urbanizing area; to restrict the pattern of residential development in the A-1 zones City-wide; to delete churches as a use permitted by right in the A-1 zones city-wide; and to create A-1-20 and A-1-40 Zones.

Subitem-D: (O-90-216) FILED

Introduction of an Ordinance amending the A-1 Zones (Agricultural) to restrict the permitted density of residential development within the Future Urbanizing area; to delete churches as a use permitted by right in the A-1 zones city-wide; and to create A-1-20 and A-1-40 zones. NOTE: Subitem-D is an alternative ordinance to Subitem-C. Only one ordinance should be introduced.

Subitem-E: (O-90-217) INTRODUCED, TO BE ADOPTED JULY 30, 1990

Introduction of an Ordinance amending the Planned Residential Development Ordinance to restrict the permitted density of residential development within the Future Urbanizing area; to restrict the pattern of residential development within the Future Urbanizing area and in the A-1 zones city-wide; and to clarify limitations on accessory uses city-wide.

Subitem-F: (O-90-218) FILED

Introduction of an Ordinance amending the Planned Residential Development Ordinance to restrict the permitted density of residential development and establish additional design criteria for Rural Cluster development within the

Future Urbanizing area; and to clarify limitations on accessory uses city-wide.

NOTE: Subitem-F is an alternative ordinance to Subitem-E. Only one ordinance should be introduced.

Subitem-G: (O-90-219) INTRODUCED AS AMENDED, TO BE ADOPTED JULY 30, 1990

Introduction of an Ordinance amending the Conditional Use Permit Ordinance to restrict the types of land uses which may be permitted within the Future Urbanizing area; to limit certain other conditional uses city-wide; to clarify limitations on incidental facilities city-wide; and to designate the City Council as the decision-making body for permitting of specified uses.

Subitem-H: (O-90-220) FILED

Introduction of an Ordinance amending the Conditional Use Permit Ordinance to restrict the types of land uses which may be permitted within the Future Urbanizing area; to limit certain other conditional uses city-wide; and to clarify limitations on incidental facilities city-wide.

NOTE: Subitem-H is an alternative ordinance to Subitem-G.

Only one ordinance should be introduced.

Subitem-I: (O-90-221) INTRODUCED, TO BE ADOPTED JULY 30, 1990

Introduction of an Ordinance amending the FW (Floodway) Zone to restrict the types of conditional uses which may be permitted within the Future Urbanizing area; and to clarify limitations on incidental facilities city-wide.

Subitem-J: (O-90-222) FILED

Introduction of an Ordinance amending the FW (Floodway) Zone to restrict the types of conditional uses which may be permitted within the Future Urbanizing area; and to clarify the limitations on incidental facilities city-wide.

NOTE: Subitem-J is an alternative ordinance to Subitem-I.

FILE LOCATION: Subitems A and B MEET

Only one ordinance should be introduced.

COUNCIL ACTION: (Tape location: A180-250;D013-I479.)

Request for continuance by Mr. Gobel.

Hearing began 2:51 p.m. and halted 6:54 p.m.

Testimony in favor by Linda Michael and Dave Odell.

Testimony in opposition by Wade McKinley, Jack Long, Vaughan

Lyons, Mark Collins, Don Stillwell, Bob Newby, George

Geissinger, Don McGregor, Jimmy Graves, Frank Pierson, John De

Bevoise, Lawrence Bentley, Jack Recht, Lucille Hedges, Judith

Munk, Allison McBride, Lloyd Brown, Paul Zucker, David Goodell,

Karen Scarborough, Lance Burris, Jim Milch, Leo Wilson, Randi

Coopersmith, Walter Urbach, Janay Kruger, Gerry McCaw, Allen

Haynie, Keith Rhodes, and Jim Wheyland.

The hearing was closed.

Motion by McCarty to put the matter on hold to give Council

Member Wolfsheimer an opportunity to work with the community groups and property owners to provide for a park and refer the needs for the roads to the Engineering and Development Department. Second by Henderson. No vote.

SUBSTITUTE MOTION BY BERNHARDT TO 1) ADOPT ALTERNATIVE "A" AS PROPOSED IN PLANNING REPORT 90-202 AND LISTED ON THE DOCKET AS SUBITEMS A, C, E, G, AND I WITH THE MODIFICATION FOR SUBITEM-G TO PROVIDE FOR CONSIDERATION OF CONDITIONAL USE PERMITS FOR CHURCHES IN THE FUTURE URBANIZING AREA BY THE CITY COUNCIL, 2) DIRECT STAFF TO REVIEW CITY COUNCIL POLICY 600-29 WITHIN ONE YEAR WITH SUPPORTING INFORMATION AS REQUIRED BY THE ANNUAL MONITORING REPORT STATED IN POLICY 600-29, 3) THAT ALL PERMITS IN THE FUTURE URBANIZING AREA WILL BE DISCRETIONARY, 4) ALL APPLICATIONS FOR PERMITS IN THE FOCUSED PLANNING AREA OF THE SAN DIEGUITO RIVER REGIONAL PARK WILL BE MADE AVAILABLE TO THE SAN DIEGUITO REGION PARK JOINT POWERS AUTHORITY FOR REVIEW AND COMMENT. Second by Wolfsheimer. The vote on the motion was trailed for Council discussion.

Council Member Bernhardt withdrew No. 3 of the motion. The vote taken on the remainder of the motion passed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea, Pratt-nay, Bernhardt-yea, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-not present.

Motion by Wolfsheimer to direct the Planning Department to prepare an ordinance that would provide for owners of property within park land to have an opportunity to dedicate park land in exchange for clustering development privileges and report back to Council on September 11, 1990. Second by Roberts. Passed by the following vote: Yeas-1,2,4,6,7. Nays-3,5,8. Not present-M.

Motion by Roberts to direct the Planning Department to establish a committee consisting of balanced community interests to make recommendations on the issues, processes and funding for all future urbanizing areas and report back on September 10, 1990 with a recommendation for the composition of that committee. Second by Henderson. Passed by the following vote: Yeas-1,2,4,6,7. Nays-3,5,8. Not present-M.

Jul-17-1990

ITEM-333: (R-90-) DEEMED DENIED

Appeal of Alfred Strohlein, et al, from the decision of the Planning Director in approving Early Release Single-Family Neighborhood Protection Ordinance Case-90-3014, which requests an early release from the Single-Family

Neighborhood Protection Ordinance (ERSFNPO), which was adopted by the City Council on August 7, 1988. The ordinance restricts the replacement of single-family residences in multi-family zones. The applicant is requesting an Early Release from this restriction to determine if the property located at 1672 Missouri Street is located within a single-family neighborhood. The subject property is further described as Lot 12, Block A, Hendricks Addition, Map-1873 in Zone R-1500 (Multi-Family), in the Pacific Beach Community Plan area. (ER-90-3014. District-6.)
Adoption of a Resolution granting or denying the appeal and granting or denying the early release, with appropriate

FILE LOCATION: ZONE ERSFNPO Case ER-90-3014

COUNCIL ACTION: (Tape location: B321-354;C239-490.)

Hearing began 2:29 p.m. and halted 2:49 p.m.

findings to support Council action.

Testimony in favor by Al Strohlein.

Testimony in opposition by Frank Rys and Loraine Trup.

The hearing was closed.

MOTION BY HENDERSON TO GRANT THE APPEAL. Second by Mayor

O'Connor. Failed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-not present, Pratt-nay, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-334: (R-90-2278) ADOPTED AS RESOLUTION R-276162

Authorizing the City Manager to initiate proceedings to prepare for the issuance of a Resolution of Intention for the improvement of Donax and Dahlia Avenues, under the provisions of the Housing and Urban Development Block Grant Program, the San Diego Municipal Code, and the Improvement Act of 1911; directing the City Manager to prepare plans,

drawings, typical cross-sections, profiles and specifications for the improvement of Donax and Dahlia Avenues, together with estimates of the costs and expenses of such work, and to furnish Council with a description of the district to be included in the assessment for the work and improvements.

(See City Manager Report CMR-90-299. Otay Mesa-Nestor Community Area. District-8.)

FILE LOCATION: STRT - D2286

COUNCIL ACTION: (Tape location: I572-J248.)

Hearing began 6:59 p.m. and halted 7:21 p.m.

Testimony in favor by Bobby J. White.

Testimony in opposition by Robert H. Barnett, Walter Taylor and

Lois Fletcher.

MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the

following vote: Wolfsheimer-yea, Roberts-not present,

Hartley-nay, Pratt-yea, Bernhardt-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-335: CONTINUED TO JULY 24, 1990, 2:00 P.M.

Two actions relative to the Mira Mesa Facilities Benefit

Assessment: (See City Manager Report CMR-90-220. Mira Mesa Community

Area. District-5.)

Subitem-A: (R-90-1898)

Designating an area of benefit in Mira Mesa and boundaries thereof; confirming the description of Public Facilities Projects, the Community Financing Plan and Capital Improvement Program with respect to the Public Facilities Projects; the method for apportioning the costs of the Public Facilities Projects among the parcels within the area of benefit and the amount of the Facilities Benefit Assessments charged to each parcel; the basis and methodology for assessing and levying discretionary automatic annual increases in facilities benefit assessments; and ordering the proposed Public Facilities Project in the matter of the Mira Mesa Facilities Benefit Assessment Area.

Subitem-B: (R-90-1899)

Declaring the assessment fee schedule contained in the Mira Mesa Public Facilities Financing Plan, adopted in Resolution R-276000, to be an appropriate and applicable development impact fee for all properties located within

the Greater Mira Mesa Community Planning Area that have either never been assessed under the Mira Mesa Public Facilities Financing Plan or have not otherwise agreed to the payment of Facilities Benefit Assessment fees as prescribed by the City Council. FILE LOCATION: Subitems A and B STRT FB-12

COUNCIL ACTION: (Tape location: C149-160.)

MOTION BY BERNHARDT TO CONTINUE TO JULY 24, 1990, 2:00 P.M. TO ALLOW FOR ADEQUATE NOTICING. Second by Wolfsheimer. Passed by

the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-not present, Pratt-yea, Bernhardt-yea, Henderson-yea,

McCarty-yea, Filner-not present, Mayor O'Connor-yea.

Jul-17-1990

ITEM-336: CONTINUED TO SEPTEMBER 11, 1990, 2:00 P.M.

Appeal of Linda Staton, from the decision of the Planning Commission in granting Resource Protection Ordinance Permit RPZ-89-0899 for the construction of 16 residential units totaling 26,036 square feet of gross floor area. The subject property is 47,916 square feet in area. The site is located on the east side of Parrot Street between Ash and Beech Streets and is more particularly described as Lots 2-12 inclusive, Block 31, Marilou Park, Map-517, in the MR-3000 Zone and within the Mid-City Community Plan area.

(RPZ-89-0899. District-8.)

Subitem-A: (R-90-)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-89-0899 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-90-)

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: Subitems A and B PERM RPZ-89-0899

COUNCIL ACTION: (Tape location: C200-238.)

Hearing began 2:25 p.m. and halted 2:28 p.m.

Motion by McCarty to refer the matter to the City Manager. No second.

Council Member Filner entered 2:26 p.m.

Testimony in favor of a continuance by Barry Schultz.

MOTION BY FILNER TO CONTINUE TO SEPTEMBER 11, 1990, 2:00 P.M. FOR FURTHER REVIEW. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-337:

Matters of:

- 1) A request for Centre City Overlay Permit CCPDP-89-0800 (Sunroad Pacific Tower) to develop a 21 story, 485,062 square foot office tower with 812 subterranean parking spaces on a 60,000 square foot block.
- 2) A request to consolidate a 12-lot, 1.37-acre city block into 1-lot city block for commercial use, Vesting Tentative Map VTM-90-0278.

The subject property is located on the block bounded by Ash, Columbia, Beech and State Streets and is more particularly described as Lots 1 through 12, Block 20, Middletown. The CBD Zoned site is within the Centre City Community Plan area.

(CCPDP-89-0800 and VTM-90-0278. District-8.)

Subitem-A: (R-90-2018) ADOPTED AS RESOLUTION R-276163

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Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-89-0800 and EMND-90-0278 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declarations have been reviewed and considered by the Council.

Subitem-B: (R-90-2019) ADOPTED AS RESOLUTION R-276164

Adoption of a Resolution approving the Centre City Overlay Permit.

Subitem-C: (R-91-344) ADOPTED AS RESOLUTION R-276165, GRANTING MAP

Adoption of a Resolution granting or denying the map with appropriate findings to support Council action.

FILE LOCATION: Subitems A and B PERM CCPDP-89-0800, Subitem-C SUBD - Sunroad Pacific Tower

COUNCIL ACTION: (Tape location: I480-550.)

Hearing began 6:50 p.m. and halted 6:55 p.m.

MOTION BY FILNER TO ADOPT. Second by Roberts. Passed by the

following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-338: (R-90-2308) ADOPTED AS RESOLUTION R-276166

Authorizing the acceptance of property for the Marina Linear Park from the Redevelopment Agency of the City of San Diego.

(See memorandum from CCDC Executive Vice President dated 6/25/90. Centre City Community Area. District-8.)

FILE LOCATION: DEED F-5309 DEED FY91-1

COUNCIL ACTION: (Tape location: K245-248.)

MOTION BY FILNER TO ADOPT. Second by Pratt. Passed by the

following vote: Wolfsheimer-yea, Roberts-not present,

Hartley-not present, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S402: (R-91-84 REV. 1) ADOPTED AS AMENDED AS RESOLUTION R-276167

Council confirmation of the appointment by the Mayor of Judith L. Bauer to serve as Director of the Department of Legislative Services, to be effective upon the creation of the department.

NOTE: See Item 201 on the regular docket of July 16, 1990 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J678-K042.)

MOTION BY PRATT TO ADOPT AS AMENDED TO ADD AFTER "APPOINTMENT BY

THE MAYOR" THE LANGUAGE "AND CITY COUNCIL." Second by McCarty.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S405: (O-90-209) CONTINUED TO JULY 31, 1990, 2:00 P.M.

(Continued from the meeting of July 10, 1990, Item 336, at Councilmember Wolfsheimer's request, due to lack of time.) A proposal to amend the Resource Protection Ordinance, Article 1, Division 4, Section 101.0462 of the San Diego Municipal Code to delete the Black Mountain Road, and County Island Annexation areas from Paragraph E., Exclusions.

(District-5.)

Introduction of an Ordinance deleting the exclusions for Black Mountain Road Assessment District, and the County Island from the Resource Protection Ordinance, Section 101.0462, Paragraphs E4, 5 and 6 of the Municipal Code.

NOTE: The portion regarding Miramar Ranch North was continued to July 31, 1990.

FILE LOCATION: LAND - Miramar Ranch North Community Plan

COUNCIL ACTION: (Tape location: K043-245.)

Hearing began 7:45 p.m. and halted 8:00 p.m.

Testimony in opposition by Milton Upton and Bob Manis.

MOTION BY BERNHARDT TO CONTINUE TO JULY 31, 1990, 2:00 P.M. TO

BE HEARD WITH THE PORTION REGARDING MIRAMAR RANCH NORTH. Second

by Filner. Passed by the following vote: Wolfsheimer-yea,

Roberts-not present, Hartley-not present, Pratt-yea,

Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea,

Mayor O'Connor-not present.

ITEM-S406: CONTINUED TO SEPTEMBER 11, 1990, AT 10:00 A.M.

(Subitem C was continued from the meeting of May 8, 1990, Item 333B, at Councilmember Henderson's request, to be heard with other planning issues after review by the Pacific Beach Community Planning Group; Continued from the meeting of July 10, 1990, Item 339, at Councilmember Henderson's request, due to lack of time and for full Council.)

Matter of areas that have been proposed in the Pacific

Beach community to be classified as protected single-family neighborhoods. The areas proposed for single-family protection are already zoned and designated in the Pacific Beach Community Plan for low density, single-family residential development.

Upon adoption of the protected single-family neighborhood maps by City Council, those multi-family areas of the

community not mapped as protected single-family neighborhoods will be released from the provisions of the Single-Family Neighborhood Protection Ordinance (O-17250 N.S.), adopted on February 21, 1989. Subsequently, property owners in these areas will be able to apply for permits to construct multi-family residential developments. While the Planning Department is not recommending any changes to the existing multi-family densities in the community, the City Council could decide to designate existing multi-family zoned areas as protected single-family, and rezone properties to a single-family zone.

(District-6.)

Subitem-A: (O-90-206)

Introduction of an Ordinance rezoning various properties in the Pacific Beach Community Planning Area into R1-5000 Zone to comply with the single-family neighborhood classification map for Pacific Beach.

Subitem-B: (R-90-2198)

Adoption of a Resolution approving an amendment to the Pacific Beach Community Plan, adopted 12/13/83, which changes the recommended residential densities in various areas of the planning area from a maximum of 29 dwelling units per acre to a maximum of 9 dwelling units per acre; this amendment shall not become effective within the areas of Pacific Beach within the jurisdiction of the California Coastal Commission until the Commission unconditionally certifies this amendment as a Local Coastal Program Amendment; adopting an amendment to the Progress Guide and General Plan for the City of San Diego to incorporate the amended plan.

Subitem-C: (R-90-995)

Adoption of a Resolution approving the protected single-family neighborhood map in the Pacific Beach area

and releasing certain property from the provisions of the Single-Family Neighborhood Protection Ordinance.

NOTE: The following motion by Councilmember Henderson is on the floor:

- 1. Direct Planning Department to prepare an Ordinance forbidding tandem parking for all future Pacific Beach residences, and return with it to Council within 30 days.
- 2. Rezone 6 predominantly single-family blocks from R-1500 to R-5,000: 1900 Block of Chalcedony St.; 2000 Block of Chalcedony

St.; 4700 Block of Academy Place; 1600 Block of Missouri St.; 4000 Block of Honeysutt St.; 1900 Block of Pacific Beach Drive.

- 3. Rezone all other R-1500 multi-family property in Pacific Beach to R-3,000 (excepting Grand Avenue, Garnet and Hornblend).
- 4. Direct Planning Department to prepare a multi-family design ordinance for the coastal portion of Pacific Beach and return with it to Council within 60 days.

FILE LOCATION: LAND-PACIFIC BEACH COMMUNITY PLAN

COUNCIL ACTION: (Tape location: A119-163.)

(Motion trailed from Monday, July 16, 1990.)

MOTION BY HENDERSON TO CONTINUE THE ITEM TO SEPTEMBER 11, 1990,

AT 10:00 A.M. Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present,

Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-ineligible,

Mayor O'Connor-yea.

ITEM-S500: CONTINUED TO JULY 24, 1990, 2:00 P.M.

(Trailed from the meeting of July 10, 1990, Item 332, due to lack of time.)

Two actions relative to Emergency Transportation Congestion Management and Phasing Ordinance for 1990 and Emergency Capital Facilities Planning Ordinance for 1990:

Subitem-A: (O-90-213)

Introduction and adoption of an Emergency Ordinance relating to land development; providing for the timing and sequencing of land development in accordance with the capacity of transportation facilities to serve new development; providing definitions; providing for development review; providing criteria for development phasing limits based upon preferred levels of service standards for specified transportations facilities;

providing for exemptions; providing criteria for relief from phasing requirements; providing for the interpretation and administration of the development phasing system; providing for applicability; providing for the effect of this ordinance on other ordinances and regulations; providing for severability; and providing for an effective date.

NOTE: Six votes required.

Subitem-B: (O-90-214)

Introduction and adoption of an Emergency Ordinance establishing a Capital Facilities Plan for the City of San Diego; providing standards and criteria for the inclusion of public facilities in the Capital Facilities Plan; providing guidelines for the preparation of the Capital Facilities Plan; relating the Capital Facilities Plan to other regulatory programs and providing an effective date. NOTE: Six votes required.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C035-081, C492-605.)
MOTION BY McCARTY TO CONTINUE TO JULY 24, 1990, 2:00 P.M. FOR
THE REPORT FROM THE CONSULTANT ON THE ECONOMIC REPORT. Second
by Henderson. Passed by the following vote: Wolfsheimer-nay,
Roberts-yea, Hartley-not present, Pratt-yea, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

ITEM-CS-1: (R-91-126) ADOPTED AS RESOLUTION R-276152

A Resolution adopted by the City Council in Closed Session on Tuesday, July 17, 1990: Settlement of property damage claim in the amount of \$65,000 to Unigard Insurance Company.

FILE LOCATION: MEET

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 8:09 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: K308).